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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,330	12/29/2000	Ravindra R. Mantena	YOR920000552US1	8671
23405	7590	01/12/2005	EXAMINER	
HESLIN ROTHENBERG FARLEY & MESITI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203			GART, MATTHEW S	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/752,330	RAVINDRA R. MANTENA
	Examiner Matthew S Gart	Art Unit 3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 November 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-48 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/5/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/05/2004 has been entered.

Claims 37-48 have been added to more particularly point out and distinctly claim the subject invention. Claims 1-48 are pending in the instant application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 9-15, 21-27, 33-39 and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. U.S. Patent No. 6,249,772.

Referring to claim 1. Walker discloses a method of providing an entitled price in an electronic transaction comprising:

- Electronically sending by a requestor a request for an entitled price based on a preexisting entitlement from a first electronic environment (Walker: column 4, line

65 to column 5, line 12, "The system and process allow a customer to log onto a central controller via the Internet and "lock-in" a price for a product. The locked in price represents a price established by a manufacturer and available at the identified stores regardless of their regular pricing. Such a locked in price is provided by a pre-established contractual relationship between the manufacturer and retailer, with an agreement preferably established for additional compensation from the manufacturer to the retailer as necessary to make the retailer whole.");

- Automatically routing the request to a second electronic environment (Walker: column 4, lines 31-44, "Effectively, the current invention establishes systems and methods for enabling a manufacturer to establish a 'private' price between himself and the customer.");
- Obtaining the entitled price within the second electronic environment while the requestor waits (Walker: column 10, lines 10-24, "In system **100** when user computer **102** identifies a product online via an interactive web-browser, user computer **102** is then provided a price established by a manufacturer and transmitted from central controller **110**."); and
- Automatically returning the entitled price from the second electronic environment to the first electronic environment for providing to the requestor (Walker: column 10, lines 10-24, "Thereafter, a user/customer can purchase and pick up the selected product from a retailer, selected from the list of retailers who have

agreed to honor the price set by the manufacturer and transmitted to user computer **102**, regardless of the retailer's normal price for such product.”)

The Examiner notes, Walker further discloses a method wherein multiple links are configured to allow for the communication of purchase related information such as customer numbers, product identifiers, account numbers, account identifiers, or any other information communicated between the user computer **102** and the central controller **110**. These links may be of any variety that allows data communications (Walker: column 9, lines 4-39). Walker does note expressly disclose the use of a public electronic environment versus a private electronic environment, but does disclose a methods for enabling a manufacturer to establish a “private” price between himself and the customer. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Walker to have included various communication link configurations (public and private) as discussed above in order to facilitate the purchase of goods and subsequent acquisition of such goods from a merchant (Walker: column 9, lines 30-40).

The Examiner further notes, Walker describes a method wherein the user computer **102** accesses the Internet **106** via a communication link **104**. The communication link **104** is a line such as a telephone line, an ISDN line, or a modem line or may be any other network connection or line (e.g., T1 or T3) that will allow data communications between a network and a host terminal. User computer **102** may further comprise either a dedicated end-user computer, a network node such as one

employing TCP/IP protocols and having a network IP address, or possibly a network of users such as a corporate buying community coupled together in some form of intranet or mid-net arrangement. Link **108** with central controller **110** performs a similar function to link **104** and may also be a dedicated telephone line such as a T1 or T3 broadband communications line. Link **104** can be construed as the pathway from the public electronic environment as claimed in claim 1, and link **108** can be construed as the pathway to the private electronic environment as claimed in claim 1.

Referring to claim 2. Walker further discloses a method wherein the first electronic environment comprises:

- A front-end application (Walker: Fig. 1, "User Computer **102**");
- Wherein the second electronic comprises a back end Enterprise Resource Planning (ERP) application, wherein the electronically sending comprises electronically sending by the requestor the request via the front end application, wherein the automatically routing comprises automatically routing the request to the ERP application, wherein the obtaining comprises obtaining the entitled price from the ERP application while the requestor waits, and wherein the automatically returning comprises automatically returning the entitled price from the ERP application to the front end application for providing to the requestor (Walker: column 10, lines 45-65).

Referring to claim 3. Walker further discloses a method wherein the automatically routing and the automatically returning are accomplished at least in part by messaging middleware (Walker: column 10, lines 45-65).

Referring to claim 9. Walker further discloses a method wherein the first electronic environment comprises a global computer network, and wherein the front-end application comprises a browser (Walker: column 8, lines 44-49).

Referring to claim 10. Walker further discloses a method wherein the electronic transaction takes place at least partially over the global computer network, wherein the electronically sending comprises electronically sending the request from the browser to a global computer network site server, and wherein the automatically routing comprises:

- Forwarding the request from the global computer network site server to messaging middleware (Walker: column 10, lines 45-65);
- Sending the request from the messaging middleware to the ERP application (Walker: column 10, lines 45-65); and
- Causing by the messaging middleware a command to be issued to the ERP application (Walker: column 10, lines 45-65).

Referring to claim 11. Walker further discloses a method wherein the automatically returning comprises:

- Sending the entitled price from the ERP application to the messaging middleware (Walker: column 12, lines 17-65);
- Forwarding the entitled price from the messaging middleware to the global computer network site server (Walker: column 12, lines 17-65); and

Art Unit: 3625

- Returning the entitled price from the global computer network site server to the browser (Walker: column 12, lines 17-65).

Referring to claim 12. Walker further discloses a method comprising encrypting and decrypting communications between the browser and the global computer network site (Walker: column 20, lines 62-67).

Referring to claims 13-15 and 21-24. Claims 13-15 and 21-24 are rejection by the same rationale set forth above in claims 1-3 and 9-12.

Referring to claims 25-27 and 33-36. Claims 25-27 and 33-36 are rejected by the same rationale set forth above in claims 1-3 and 9-12.

Referring to claims 37-39 and 45-48. Claims 37-39 and claims 45-48 are rejected under the same rationale as set forth above in claims 1-3 and 9-12.

Claims 4-8, 16-20, 28-32, and 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. U.S. Patent No. 6,249,772 in view of Multiplatforms.

Referring to claim 4-8. Walker discloses a method according to claim 3 as indicated supra. Walker does not expressly disclose a method wherein the messaging middleware comprises MQSERIES, MSMQ and the ESP application comprises BAAN. Multiplatforms teach that enterprise software vendors have come to support multiple platforms (Multiplatforms: page 2). The examiner notes, the specific type of middleware being utilized by the instant invention does not act to distinguish the instant invention in terms of patentability. Numerous middleware applications and ESP configurations

Art Unit: 3625

could have been implemented and successfully utilized. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Walker to have included various middleware applications and ESP configurations as discussed above because multiple platform support from ERP vendors and greater platform interoperability means that manufacturing managers can consider a wider range of applications (Multiplatforms: page 3).

Referring to claims 16-20. Claims 16-20 are rejection by the same rationale set forth above in claims 4-8.

Referring to claims 28-32. Claims 28-32 are rejected by the same rationale set forth above in claims 4-8.

Referring to claims 40-44. Claims 28-32 are rejected by the same rationale set forth above in claims 4-8.

Response to Arguments

Applicant's arguments concerning claims 1-36 have been fully considered but are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

Art Unit: 3625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



MSG
Patent Examiner
January 6, 2005